

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

ERIC SMITH, ET AL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Cause No: 4:18-CV-171
	)	
ST CHARLES COUNTY, ET AL.	)	
	)	
Defendants.	)	

**DEFENDANTS ST. CHARLES COUNTY, MISSOURI, LARRY CRAWFORD  
MICHAEL McKEE, JEFFERY CAST AND CLINTON GRAEBNER'S MOTION TO  
STRIKE PARAGRAPHS 97 TO 113 OF PLAINTIFFS ERIC SMITH AND ALLAEDIN  
QANDAH'S COMPLAINT**

COMES NOW Defendants, St. Charles County, Missouri, Larry Crawford, Michael McKee, Jeffery Cast, and Clinton Graebner ("Defendants") by and through undersigned counsel, and file their Motion to Strike "History of Unconstitutional Conduct at SCCJ," paragraphs 97 to 113 of Plaintiffs', Eric Smith, and Allaedin Qandah ("Plaintiffs") Complaint pursuant to Federal Rule of Civil Procedure 12.

As grounds for this Motion, and as more fully set forth in the Memorandum of Defendants in Support of their Motion to Strike, Defendants move to strike paragraphs 97 to 113 of Plaintiffs' Complaint as this section is immaterial and impertinent to Plaintiff's claims and prejudicial to Defendants.

In support of this Motion to Strike, Defendants rely upon their Memorandum filed in support of this Motion, and exhibits attached thereto.

WHEREFORE, Defendants move this Court to grant this Motion to Strike and strike "History of Unconstitutional Conduct at SCCJ," paragraphs 97 to 113 of Plaintiffs'

Complaint pursuant to Federal Rule of Civil Procedure 12 and to award them their attorney's fees and costs.

Respectfully submitted,  
ST. CHARLES COUNTY COUNSELOR

/s/Drew A. Heffner  
Drew A. Heffner, E.D. #54873MO  
Associate County Counselor  
100 North Third Street  
St. Charles, Missouri 63301  
Telephone: 636/949-7540  
Facsimile: 636/949-7541  
Email: dheffner@sccmo.org

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon:

Blake A. Strode  
Michael-John Voss  
Sima Atri  
Nathaniel R. Carroll  
John M. Waldron  
Arch City Defenders, Inc.  
1210 Locust Street, 2<sup>nd</sup> Floor  
St. Louis, MO 63103  
Telephone: 855/724-2489  
Facsimile: 314/925-1307

and

James R. Wyrsh  
Javad M. Khaezaeli  
Khaezaeli Wyrsh, LLC  
911 Washington Ave #211  
St. Louis, MO 63101  
Telephone: 314/288-0777  
Facsimile: 314/400-7701

/s/Drew A. Heffner

Dated: March 30, 2018.